

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LYDIA LYNN DONEY,

Defendant.

CR 20-104-BLG-SPW-2

ORDER

Defendant has filed an Unopposed Motion for Psychiatric or Psychological Evaluation and Report (Doc. 67) to determine Defendant's mental competency. Defendant's motion is brought pursuant to 18 U.S.C. § 4241(a) and (b) and not opposed by the United States.

After reviewing the motion, the Court finds reasonable cause to believe the Defendant may presently be suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense.

Accordingly, IT IS ORDERED:

1. The Motion to Determine Mental Competency (Doc. 67) is GRANTED.

Lydia Lynn Doney shall undergo an evaluation to determine her


competency to proceed in this matter in accordance with 18 U.S.C. § 4247(b)-(c) at a federal facility designated by the Bureau of Prisons.

2. The United States Marshals Service shall request that the Bureau of Prisons designate a federal facility where Defendant shall be evaluated. The United States Marshals Service shall notify the Court when it receives notice of the facility that has been designated.
3. All time from the date of this Order until the date of the Court's determination as to Defendant's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

IT IS FURTHER ORDERED that Trial in this matter presently set for Tuesday, January 18, 2022 at 9:00 a.m. is **VACATED** until further Order of the Court.

The Clerk of Court shall immediately notify the parties and the United States Marshals Service of the entry of this Order.

DATED this 22nd day of October, 2021.


SUSAN P. WATTERS
United States District Judge